RECENT CASES

ADMIRALTY—JURISDICTION—WEST V. MARTIN, 92 PAC. (WASH.) 334.—*Held,* that admiralty has jurisdiction of the injury where a pier of a lawfully constructed bridge resting in the bottom of a navigable river is run into by a vessel. Fullerton, J., *dissenting.*

Beginning in 1865, the Supreme Court held that jurisdiction of admiralty was exclusively dependent upon locality of the act, *The Plymouth,* 3 Wallace 20, and that the place or locality of the thing injured, and not of the agent causing the injury, was the real test, *Ex parte Phenix Ins. Co.,* 118 U. S. 610, also that a cause of action not being completely on water, when the thing injured was on land, *Johnson v. Chicago Elevator Co.,* 119 U. S. 388, that injuries to bridges, which are mere prolongations over waters of highways upon land, *City of Milwaukee v. The Curtis,* 37 Fed. Rep. 705, were not within the jurisdiction of admiralty courts, *The John C. Sweeney,* 55 Fed. Rep. 540; but starting with an *obiter dictum* in *The Arkansas,* 17 Fed. Rep. 383, which stated that in such cases there should be a right in admiralty because of the inherent nature of the resulting lien. The Supreme Court finally decided in *The Blackheath,* 195 U. S. 361, that such cases were cognizable in admiralty, thus practically overruling the old test of locality as laid down in *The Plymouth, supra,* and extending jurisdiction to any claim for damages caused by any ship. Some Federal Courts, however, refuse to interpret the above decision as overruling *The Plymouth, supra; The Curtis,* 152 Fed. 588. But the majority follow it as the best rule of law. *Bowers Hydraulic Dredging Co. v. Federal Contracting Co.,* 148 Fed. 290.

BASTARDY—EVIDENCE—ADMISSIBILITY.—LAND V. STATE, 105 S. W. (ARK.) 90.—*Held,* that in bastardy it is not error to allow the child to be exhibited to the jury, the relative improbability of a child having any perceptible resemblance to its parent going to the weight of the evidence only.

Exhibition of the child to allow jury to observe whether it bears any resemblance to the putative father is allowed in some cases on its being, in some respects, the subject-matter of the controversy, *Gilmanton v. Ham,* 38 N. H. 108, or that it is pertinent evidence, *Higley v. Bostick,* 63 Atl. (Conn.) Rep. 786, or on common sense and observation, *State v. Woodruff,* 67 N. C. 89; *Gaunt v. State,* 50 N. J. L. 490, or on the physiological fact that features and personal traits are often transmitted from parent to child, *Finnegan v. Dugan,* 96 Mass. 197, to uphold which theory Lord Mansfield, in the notorious *Douglas Case,* is reported as saying: "That he considered likeness as an argument of a child's being the son of a parent;" cited on authority of *Hanawalt v. State,* 64 Wis. 84, and which follows irrespective of age of child, *Scott v. Donovan,* 153 Mass. 378, to which, however, there is a contrary view, *State v. Danforth,* 48 Iowa 43. The conflicting cases base their arguments on the fact that such resemblance being purely notional or imag-